



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

6/7/01
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JUN 07 2001

REPLY TO THE ATTENTION OF:

S-6J

Mary Beth Tuohy, Assistant Commissioner
Office of Land Quality
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

EPA Region 5 Records Ctr.



367129

RE: Peabody Coal-Lynnville Mine Site,
Lynnville, Warrick County, Indiana

Dear Ms. Tuohy:

The purpose of this letter is to clarify the U.S. Environmental Protection Agency's (U.S. EPA) understanding with regards to the Peabody Coal-Lynnville Mine Site located in Lynnville, Indiana. This response is prompted by your letters dated April 25, 2001 and May 3, 2001 as well as by an April 26, 2001 conference call which took place between the Indiana Department of Environmental Management (IDEM) and U.S. EPA staff.

U.S. EPA appreciates IDEM's efforts of drafting an Agreed Order and Scope of Work which compels the defendants to perform a Comprehensive Environmental Response Compensation and Liability Act (CERCLA) quality investigation of the gob pile, surface water, groundwater, human and ecological risk assessment and remedial action study. It is U.S. EPA's understanding that reclamation of the gob pile may be eligible for funding under the Abandoned Mine Land (AML) Fund and that additional remedial measures will be implemented should human health or environmental threats remain after the gob pile is reclaimed.

As was discussed in the April 26, 2001 conference call, IDEM anticipates knowing by August 2001 whether or not AML funds are available for the site. U.S. EPA and IDEM agreed that a follow-up discussion on the Peabody Coal/Lynnville Mine Site would be appropriate at this time. However, U.S. EPA also believes that should this site not be eligible for AML funds, then implementation of the Superfund process should move forward. Under the circumstance where

AML funds are not available for the site, U.S. EPA intends to proceed with obtaining an enforceable agreement with the responsible parties to perform a remedial investigation/feasibility study (RI/FS). It is U.S. EPA's desire to have the responsible parties start the RI/FS in fiscal year 2002.

If you would like to further discuss any of the above matters, please feel free to contact me or one of my staff members. Thank you for your continued cooperation.

Sincerely yours,



William E. Muno, Director
Superfund Division.

cc: Bruce Oertel, IDEM
Gabriele Hauer, IDEM
Joe Dufficy, U.S. EPA
Wendy Carney, U.S. EPA
Doug Ballotti, U.S. EPA
Bruce Sypniewski, U.S. EPA ✓
Mike McAteer, U.S. EPA